

**Dillard, Nancy**

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**Sent:** Monday, September 09, 2002 3:16 PM  
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**Subject:** docket 7892-u: staff recommendation

Please let me know if you have any questions. Thanks.



staff rec 7892  
(a).doc



staff rec 7892  
(b).doc

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Item R-1 (a): Performance Measures - Staff Recommendation

Staff recommends no modifications be made to Staff's August 7, 2002 recommendation, other than the following:

1. Late and Incomplete Reports - Staff agrees with BellSouth that it should not be penalized at this time for "revised" and "SQM" reports and recommends that these penalties be removed.
2. O-3 (Percent Flow-Through Service Requests (Summary)) - Staff recommends that this measure maintain its transaction-based methodology with penalties of \$100 per transaction.
3. O-4 (Percent Flow-Through Service Requests (Detail))  
Replace the figures in the charts with the dollar amounts below:

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Flow-through	\$80	\$90	\$100	\$110	\$120	\$130

4. O-8(Reject Interval)and O-9(Firm Order Confirmation)- For partially mechanized LSRs, Staff recommends the benchmark still be reduced from 85% within 10 hours to 90% within 7 hours. However, the following language should be deleted: "and 90 days thereafter, (the benchmark will reduce) to 90% within 5 hours." For non-mechanized LSRs, the benchmark will reduce to 95% within 24 hours instead of the previously recommended benchmark of 90% within 10 hours
5. O-16 (CLEC Ordering Trouble Responses in 48 Hours) - Staff agrees with BellSouth that this measure is poorly defined, would be difficult to measure, and is not responsive to a clearly demonstrated problem. Thus, Staff recommends this measure be deleted.
6. P-3 (Percent Missed Installation Appointments) - Staff agrees with BellSouth that "ADSL (Industrial) Provided to Retail" is not the appropriate analog for Line Sharing and Line Splitting. Staff recommends that the analog instead be "ADSL to Retail" in order to provide a more nearly "apples to apples" comparison.
7. P-4 (Average Completion Interval & Order Completion Interval) - Staff believes that the modified version of P-4 previously recommended to the Commission will provide useful information in terms of evaluating the customer experience. However, Staff agrees with BellSouth that it could be penalized twice under the current plan if it misses O-9 and consequently misses P-4. In light of this, Staff recommends that the

current P-4 continue to be measured as it currently is, but that BellSouth *also* measure the modified P-4. The current measure shall be known as P-4A and the modified measure, P-4B. Remedies will only be due on P-4A at this time.

8. P-7C (Hot Cut Conversions - Percent Provisioning Troubles Within 7 Days Of A Completed Service Order) - Staff agrees with BellSouth that the current exclusion should be clarified to include "CLEC Equipment Trouble".
9. P-9 (Percent Provisioning Troubles Within 30 Days Of Service Order Completion) - Staff agrees with BellSouth that the current exclusion should be clarified to include "CLEC Equipment Trouble."
10. P-11 (Service Order Accuracy) - Staff recommends that BellSouth no longer be required to calculate service order accuracy "using a statistically valid sample of all BellSouth service orders" (i.e., mechanized, partially mechanized, and manual LSRs), and instead "implement a mechanized process by which each eligible partially mechanized LSR would be reviewed and compared against the corresponding service order in calculating BellSouth's service order accuracy results".

BellSouth also asked that the following three modification be made to P-11: (1) That fields reviewed in determining service order accuracy be limited to CLEC-impacting. (2) That disaggregation be based on three categories of products: Resale, UNEs, and UNE-P. (3) That the benchmark for P-11 be reduced from 95% to 90%. Staff agrees with BellSouth and recommends the Commission adopt these modifications.

11. P-15 (Premature Disconnects - Loop Port Combos) - Staff agrees with BellSouth that this measure is obsolete and should be eliminated from the SQM.
12. C-2 (Collocation Average Arrangement Time) - Staff agrees with BellSouth that the appropriate start time for this measure is "on the date that BellSouth receives an accurate Bona Fide firm order accompanied by the appropriate fee."
13. CM-6, CM-7, CM-8 - BellSouth states in its comments that "because there are slight differences in the language of Measures CM-6, CM-7, and CM-8 as proposed by the parties in Georgia earlier this year versus the language in the corresponding measures (already in place) in Florida, BellSouth recommends that the Florida version of these measures be included in the Georgia SQM. Staff agrees and recommends the Commission adopt the language approved in Florida.
14. CM-10 - BellSouth recommends in its comments "that Measure CM-10, which also was adopted by the Florida Commission, be included in the Georgia SQM as well." Staff has no objection to BellSouth's request and hereby recommends the inclusion of CM-10 in the SQM. Also, in a footnote, BellSouth recommends that "Consistent with the Florida Commission's recent decision, Measure CM-11 should be added to the Georgia SEEM plan as well." Staff believes this to be appropriate also and recommends its inclusion in the SEEM plan.

15. Special Access Metrics - Staff recommends adoption of the measures agreed upon in Tennessee.
16. Implementation Date - Staff agrees with BellSouth that an implementation date of 30 days from the date of a Commission Order allows too little time for BellSouth to effectively implement the large number of changes involved in this Performance Measures Review. Thus, Staff recommends the implementation date be extended to 90 days from the date of a Commission Order approving the revised SQM.
17. Administrative Changes - Staff recommends approval of all Administrative Changes attached to BellSouth's comments as Exhibit 3, with the exception of the last item in the matrix regarding analogs and benchmarks for product "roll-up" categories. BellSouth shall provide as an attachment to the SQM document the product "roll-up" lists for the measures included under SEEM disaggregation, SEEM analog/benchmark, and SQM analog/benchmark.
18. BellSouth shall file a detailed accounting of the Tier 2 penalties due to this Commission 2 weeks after the Administrative Session vote. Staff will review this information and recommend to BellSouth how to proceed.

Item R-1 (b): CCP - Staff Recommendation

See attached matrix.

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Matrix of Disagreed Items**

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Item	CCP Section	Status Page	CLEC Position	BellSouth Position	Staff Recommendation
1	2.0 – 4 <sup>th</sup> Para	D 21	<p>BellSouth's proposed language "for scheduling CLEC Production Releases" negates the CLECs overall efforts to prioritize change requests by eliminating any meaning for the prioritization of BellSouth initiated change requests by CLECs.</p> <p>As was discovered by KPMG and reported in Florida Third Party Test Exception 88, BellSouth is the only entity that has input to and considers changes at Step 7 of the process that have not been submitted to the CCP as change requests for prioritization.</p> <p>These BellSouth initiated changes, which no one else is aware of, are originated solely by BellSouth's internal organizations and compete directly with published change requests for release capacity.</p> <p>BellSouth's unannounced development and implementation of these "secret" changes has altered the prioritization assigned to published CRs and delayed their implementation.</p> <p>The CLECs know neither of their existence nor the impact they will have upon meeting the needs of the CLECs when prioritization of the published change requests occurs.</p> <p>BellSouth has confirmed that all of these changes are exclusive to the wholesale processes that support only the CLECs and do not address BellSouth retail processes.</p>	<p>The CLECs' proposed language is designed to ensure that BellSouth complies with the CCP, although only as it relates to Type 4 (BellSouth-initiated) Change Requests. BellSouth's proposed language would require adherence to the CCP for all Change Requests (not just Type 5s), but would clarify that BellSouth will implement CLEC requested features in CLEC Production Releases as guided by the CLECs' prioritization. All Type 2, 4, 5 and 6 Change Requests, regardless of whether implemented in a CLEC or BellSouth Production Releases will be communicated to the CCP membership, although BellSouth's Production Releases would not be subject to CLEC approval, as the CLECs' proposed language seeks to do.</p>	<p><b>BellSouth Language</b></p> <p>Staff recommends the 50%- 50% capacity split for BellSouth and CLEC Production Releases. All Change Requests (CRs) shall be submitted to the CCP before prioritization (Type 2,4,5 and 6). BellSouth's Production release would not be subject to CLEC prioritization. Additionally, BellSouth shall hire a third party to ensure that the 50-50 plan and all the approved changes are implemented as ordered by the Commission.</p>

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2	2.0 - DCCoM	D 22	<p>The existence of these secret changes makes it impossible for the CLECs to perform mutual impact assessment and resource planning to manage and schedule changes, which is a key objective of the CCP.</p>	<p>BellSouth should be permitted to conduct internal business meetings without CLEC involvement, and there is no need for CLEC participation in those meetings in order for the CCP Process to function efficiently and effectively. The definition of a "CLEC affecting" change has been expanded so as to increase the scope of the CCP, and BellSouth will use the CCP membership Forum for discussing, prioritizing and obtaining final approval for the CLEC Production Releases, as well as for providing the changes in BellSouth Production Releases. CLECs can participate fully in the Change Control Process without participating in internal BellSouth meetings, which would hamper BellSouth's ability to run its business.</p>	<p><b>BellSouth Language</b> As a result of Item 1, CLECs will obtain prior notice through the CCP of all CRs, including BellSouth initiated CRs, before prioritization and implementation in all production releases.</p>
			<p>As BellSouth has confirmed, the processes being considered for change within BellSouth's internal process exist only to support BellSouth's operations that serve the CLECs. There is no impact to any other part of BellSouth's business. Despite this the CLECs have no visibility into the process or objective representation within it.</p> <p>The CLECs are proposing to identify the inclusion of the Designated CLEC Co-Moderator (DCCoM) function (discussed below in Item 23) in this step of the process. Under BellSouth's current policies and under its proposed new language the CLECs are specifically excluded from participation in Step 7 of the process and have no objective representation.</p> <p>The establishment of the DCCoM function will enhance BellSouth's process and the coordination with the CLEC's parallel internal processes essential to the timely and effective implementation of prioritized changes.</p> <p>BellSouth has argued that it must have privacy to conduct its business affairs and that it should not be subject to having the CLECs directing its business. The DCCoM would have no voice</p>		

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			<p>or vote in BellSouth's decision making. This proposal does not deny BellSouth the right to conduct its business as it sees fit. It simply provides BellSouth with the opportunity to obtain real-time input from its customers and for its customers to have first hand knowledge in a timely manner of changes which of impact their business.</p> <p>This is a method to allow BellSouth to meet the expectations of the FCC as set forth in the GA/LA Order - "We encourage BellSouth to continue to accommodate competitive LEC requests to improve the transparency and effectiveness of its Change Control Process." FN 697.</p> <p>As noted above and in Item 1, CLECs are the only customers and users of the systems and processes being discussed by BellSouth in these meetings.</p>		
3	3.0 – Type 2	D 23	<p>There are two distinct issues for this CCP Section reference. <u>The first one</u> is an issue with the implementation of regulatory mandates that do not have ordered implementation dates. The <u>second</u> is an issue with the need for "mutual consent" to initiate the Expedited Feature Process.</p> <p style="text-align: center;"><b>Undated Regulatory Mandates</b></p> <p>Most regulatory mandates include a specific implementation date in the regulatory body's order. If the regulatory order does not provide a specific date the CLECs propose that the 60 week</p>	<p>The issue in dispute concerns whether regulatory mandates (Type 2 Change Requests) that do not include a specific implementation date must be implemented within 60 weeks of prioritization, as the CLECs have requested, or whether BellSouth should have greater flexibility in implementing such Change Requests, as BellSouth's language would allow. There is limited amount of release capacity available for a given year, and Type 2s of this nature should be implemented in accordance with the expectation of the regulatory body that ordered the change. BellSouth</p>	<p><b>CLEC Language</b></p> <p>Type 2 CRs with no regulatory deadline shall be implemented within 60 weeks after prioritization. With mutual consent by participants, Type 2 CRs may be managed using the Expedited Feature Process.</p>

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			<p>interval associated with the implementation of Type 4 and Type 5 changes in their proposal be applied as an outside limit to the mandated change.</p> <p>This would not prevent or restrict implementation of the mandate before the expiration of 60 weeks. Furthermore, the CLECs support the expeditious implementation of such non-time specific mandates. (See Item 6)</p> <p>Nor does, the CLEC's proposal restrict BellSouth's ability to seek an interval longer than 60 weeks for such changes through appeal to a regulatory body or through agreement for a "Negotiated Extended Implementation" which is described below in Item 30.</p> <p>The establishment and operation of the Flow Through Task Force ("FTTF") as provided for in the January 2001 order in this docket is an example of an order without an implementation time period. The ordered purpose was "to eliminate the high BellSouth Caused Failures and the designed manual fallout for electronically submitted LSR's." The order for the FTTF however did not provide a specific date for the implementation of task force recommendations or its dissolution.</p> <p>Today, 17 months (68 weeks) after the Order, 1 of every 5 electronically submitted CLEC LSRs still encounters either designed manual fallout or BellSouth caused failure. Further, there are at least 15 FTTF change requests that will not be</p>	<p>should be able to implement a regulatory mandate without subjecting such mandate to CLEC approval or prioritization. Such implementation may result in BellSouth having to expedite the mandate or having more than 60 weeks to implement it, which the CLEC proposed language would not allow</p>	<p>The 60 week prioritization mandate shall begin the date of the next CLEC prioritization.</p>



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			<p>implemented before May of 2003, which is 29 months (120 weeks) after the Commission's order.</p> <p style="text-align: center;"><b>Mutual Consent to Expedite</b></p> <p>BellSouth had previously agreed to language which states: "With mutual consent by the participants, Type 2 changes may be managed using the Expedited Feature Process, as discussed in Section 4, Part 3." The agreement was reached at the April 11, 2002 meeting, balloted and approved in Ballot 10, and published in Version 3.0 of the CCP Document on May 1, 2002. Yet, BellSouth now simply states that it "cannot support" the language it previously agreed to.</p> <p>The CLECs proposal allows BellSouth to implement mandated requests in advance of ordered implementation dates with the mutual consent of the CLECs. Should the CLECs not agree to the expedited implementation, BellSouth would not suffer any harm because it could implement the change on the date ordered and, meet its ordered obligation.</p>		
4	3.0 - Type 4 Paragraph 1	D 24	<p>A major stated and published objective of the CCP is "Timely and effective implementation of feature and defect change requests." However, the existing CCP contains no intervals or guidelines for the actual implementation of feature change requests (Type-4 and Type-5 Change Requests, and undated Type-2s).</p>	<p>The CLECs' proposed language would require that BellSouth commit unlimited resource capacity to meet an infinite (yet undetermined) amount of demand (i.e., number of CLEC-initiated change requests) merely upon the request of CLECs to implement these features. There are hundreds of CLECs that potentially could make requests for new features. The defined</p>	<p><b>BellSouth Language minus the statement " subject to available capacity".</b></p>

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			<p>[See also the CLEC Coalition Comments being separately submitted for a description of an associated new metric for the timely implementation of feature requests.]</p> <p>Operating in this environment has resulted in the creation of an on-going backlog of feature change requests and excessively long implementation intervals for the majority of requests implemented.</p> <p>The current backlog is 65 items. 36 are Type-5 (CLEC-initiated), 10 are Type-4 (BellSouth-initiated), and 19 are Type-2 (Regulatory, mostly Flow Through Task Force initiated):</p> <ul style="list-style-type: none"> <li>• 5 of the requests are "New." Under the CCP, a "new" request is a change request that has been received by the BellSouth Change Control Manager, but has not yet been validated. Although the interval for validation under the CCP is 10 business days, BellSouth did not meet that timetable for any of these. One of the requests was filed as long ago as December 2000.</li> <li>• 5 of the requests are "Pending." A "pending" request is a change request that has been accepted by the BellSouth Change Control Manager and scheduled for change review and prioritization. One of these requests was submitted in April 2000, and two others were submitted more than nine months ago.</li> <li>• 42 of the requests are "Candidate Requests." A</li> </ul>	<p>process does not limit the number of CLECs who participate in CCP nor does it limit the number of change request any CLEC may request of BellSouth. No company has unlimited resources, and no ILEC, to BellSouth's knowledge, is subject to a Change Control Process by which CLECs determine the level of OSS investment that the incumbent must make. BellSouth's proposed language is part of a comprehensive prioritization proposal by which: (i) BellSouth provides the estimated sizes for all features requested for prioritization along with the estimated amount of capacity available for the releases; and (ii) CLECs and BellSouth share equally available release capacity (after all scheduled defects are corrected, all regulatory mandates are implemented, and all needed updated industry standards are built). Under BellSouth's proposal, CLECs have the necessary tools to make an informed decision to prioritize features and determine which should be deployed first, second, etc., and can be assured that Change Requests will be implemented no later than 60 weeks from prioritization based on the priority assigned by the CLECs, and subject to available capacity. BellSouth's comprehensive prioritization proposal is reasonable and has been endorsed by both KPMG and the Staff of the Florida Public Service Commission.</p>	

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			<p>"Candidate Request" is a change request that has completed the change review and prioritization process and is ready to be scheduled for implementation in a release. Of these requests 16, or nearly 40 percent of the total, were originally submitted in 1999 or 2000. An additional 7 requests were submitted between January and June 2001. 16 of the "Candidate Requests" were prioritized in April 2001, but have still not been scheduled by BellSouth for implementation. None of these "Candidate Requests" can be scheduled for implementation before May 2003.</p> <ul style="list-style-type: none"> <li>13 of the requests are "Scheduled." A "scheduled" request is a change request that has actually been scheduled for implementation through a BellSouth release. In the case of these 13 requests, implementation has been scheduled for August or December 2002. For 8 of these requests, the scheduled implementation date is at least 19 months (and as long as 34 months) from the date on which the request was originally filed. The implementation dates scheduled for three additional requests are between 11 and 14 months from the original submission date. One of the scheduled requests was originally submitted in August 1999; the majority of the remaining requests were submitted before December 2000.</li> </ul> <p>BellSouth's caveat on page 24 of "subject to available capacity" effectively eliminates commitment. BellSouth has argued that it</p>		

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	CLEC Position	<p>fears the CLECs will overload the process with change requests making it impossible to meet the 60-week guideline. BellSouth offers no evidence that this has ever happened or any rational reason why CLECs would have any incentive to do so.</p> <p>BellSouth's fear ignores at least three factors:</p> <p>First, when a change request is submitted BellSouth has the right to reject it for (1) cost, (2) technical feasibility, or (3) industry direction. Thus, BellSouth has the ability to guard the process because it has seen and validated all requests. Should BellSouth reject a given change request, the originating CLEC(s) must use the escalation and dispute resolution process to obtain relief.</p> <p>Second, the 60-week interval begins following the prioritization step that will always be 30 to 90 days after submission of the change requests being prioritized. This provides BellSouth with the opportunity to discuss any impending overload it perceives with the CLECs prior to prioritization. Further, BellSouth has the right, following prioritization, to utilize the dispute resolution process to obtain relief in a manner analogous to the CLECs use of the process to obtain relief when change requests are rejected.</p> <p>Third, under the CLEC's proposal, BellSouth also has the opportunity to obtain a Negotiated Extended Implementation for any given change request. (See Item 30 below.)</p> <p>Additionally, BellSouth's caveat of "subject to available capacity" indicates that BellSouth intends to continue to provide</p>
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			resources to meet the needs of CLECs in the same arbitrary, exclusionary, and reactive manner that has resulted in the backlog described above.		
5	3.0 – Type 4 2 <sup>nd</sup> Paragraph	D 24	<p>The BellSouth caveats included in its proposed language, which are: “in the CLEC Production Releases that will occur” and “subject to available capacity”, are prime examples of the key differences between the CLEC’s and BellSouth’s overall positions on the nature of the CCP.</p> <p>The CLECs are proposing an open, single, unified process for the timely implementation of all change requests regardless of their origin based upon a jointly established prioritization. BellSouth’s proposal, in contrast, establishes separate tracks for CLEC initiated changes and BellSouth initiated changes, excludes the CLECs from any participation in the BellSouth track, excludes the CLECs from participation in vital portions of the process in the CLEC track, and reserves to BellSouth the right to implement changes that have not been subjected to the process.</p> <p>The CLECs propose an open single, unified process to implement feature changes according to their priority, in a timely manner, and with a minimum of defects, regardless of who initiated the request. The key aspects of the CLEC proposal are:</p> <ul style="list-style-type: none"> <li>• Feature changes should be implemented within 60 weeks of their prioritization.</li> <li>• No BellSouth or CLEC initiated changes should be</li> </ul>	<p>There are only two aspects of this language that are in dispute. The first relates to the CLECs’ desire that BellSouth commit unlimited resources to implementing an unlimited number of change requests, which BellSouth is unwilling to do for the reasons explained in Item No. 4 above. The second issue relates to BellSouth’s proposal for sharing equally available release capacity by having separate CLEC Production Releases and BellSouth Production Releases. The CLEC Production Release would be used to implement those change requests that the CLECs have prioritized, and the BellSouth Production Release would be used to implement those change requests that are a priority to BellSouth (including CLEC-initiated change requests). The determination of which features to implement in the BellSouth Production Release should be left to BellSouth, not the CLECs. Accordingly, BellSouth can agree with the CLEC language for application to <u>CLEC Production Releases</u> and with the acknowledgement that implementation is <u>subject to available capacity</u>. BellSouth’s proposed language includes these two phrases.</p>	<b>BellSouth Language minus the statement “ subject to available capacity”.</b>

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			<p>allowed to enter BellSouth's internal development (Steps 7-10) without first being subject to the previous steps of the CCP.</p> <ul style="list-style-type: none"> <li>• BellSouth should provide the CLECs with visibility into its internal development process.</li> <li>• Prioritization ranking, BellSouth preliminary feature sizing model information, and BellSouth release capacity information will be used to sequence the implementation of changes in the various software releases that will occur during the 60-week interval.</li> <li>• BellSouth may alter this sequence only with CLEC concurrence</li> <li>• All prioritized change requests will be assigned to as many future releases as necessary to complete the sequencing process.</li> </ul> <p>BellSouth's caveat that "in the CLEC Production Releases that will occur" means that BellSouth is (1) establishing a separate path for its own change requests, (2) will not consider the CLECs prioritization binding upon the sequence of implementation within that separate path, and (3) is excluding CLECs from the process associated with that separate path.</p> <p>The CLECs do not agree with the concept of separate CLEC and BellSouth production releases. As is discussed below in Item 17, the establishment of a separate path for BellSouth's self-initiated change requests with a guaranteed 50% of the forecast capacity is unwarranted, wasteful of scarce programming resources, and</p>		

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			counterproductive.		
6	3.0 – Type 4 3 <sup>rd</sup> Paragraph	D 24	<p>As noted above in Item 3, the CLECs support the expeditious implementation of non-time specific mandates. In fact the CLEC's proposal provides for the possible use of an Expedited Feature Process for all four types of feature related change requests (2,3,4 and 5) by mutual consent.</p> <p>BellSouth agrees that mutual consent should be obtained for the use of the Expedited Feature Process for Type 3 and Type 5 changes, but reserves to itself the right to unilaterally expedite Type 2 and Type 4 changes.</p> <p>BellSouth's use of the caveat "within the CLEC Production Releases" forces CLECs to accept a needlessly inefficient use of programming resources to obtain an expedite, if a CLEC Production Release is next in the schedule, or be denied the capability to obtain an expedite if it is a BellSouth Production Release that is next in the schedule.</p> <p>BellSouth's position is inconsistent with the posed collaborative nature of the CCP and with at least two of its principle objectives:</p> <ul style="list-style-type: none"> <li>• "Timely and effective implementation of feature and defect change requests."</li> <li>• "Allow for mutual impact assessment and resource planning to manage and schedule changes."</li> </ul>	<p>The only issue in dispute with respect to this section concerns the CLECs' proposed language that would render BellSouth Production Releases subject to CLEC consent and approval. BellSouth's comprehensive prioritization proposal, which has been endorsed by KPMG and the Florida Public Service Commission Staff, would create CLEC Production Releases and BellSouth Production Releases. For Type 4 changes, BellSouth agrees with the CLECs that mutual consent should be required to expedite any feature in a <u>CLEC</u> Production Release. However, BellSouth should be able to expedite any feature in a <u>BellSouth</u> Production Release, without obtaining the consent of the CLECs, as long as BellSouth provides the requisite notice to the CCP membership about any such expedited features.</p>	<b>BellSouth Language.</b>

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			BellSouth has used unilateral expedited treatment of feature change requests it initiates to support its own regulatory agenda at both the state and federal level to bolster its 271 case and to respond to negative findings from third party OSS testing. These efforts have negatively impacted and delayed other pending change requests.		
7	3.0 – Type 5 1 <sup>st</sup> Paragraph	D 25	<p>The existing CCP contains no intervals or guidelines for the actual implementation of feature change requests (Type-4 and Type-5 Change Requests, and undated Type-2s). This is in violation of the purpose of the CCP: 'Timely and effective implementation of feature change request.</p> <p>Operating in this environment has resulted in the creation of an on-going backlog of feature change requests and excessively long implementation intervals for the majority of requests implemented.</p> <p>See Item 4 above for the full details of the CLECs' support for their proposed language.</p>	This is the same issue in dispute for Item No. 4, except that this issue relates to BellSouth-initiated Change Requests (Type 4s) rather than CLEC-initiated Change Requests (Type 5s). However, BellSouth's position is the same, namely that BellSouth should not be required to commit unlimited resource capacity to implement every BellSouth-initiated Change Request within 60 weeks simply because the CLECs have prioritized such requests. No company has unlimited resources, and no ILEC, to BellSouth's knowledge, is subject to a Change Control Process by which CLECs determine the level of OSS investment that the incumbent must make. BellSouth's proposed language is part of a comprehensive prioritization proposal by which: (i) BellSouth provides the estimated sizes for all features requested for prioritization along with the estimated amount of capacity available for the releases; and (ii) CLECs and BellSouth share equally available release capacity (after all scheduled defects are corrected, all regulatory mandates are implemented, and all needed	CLEC Language



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				updated industry standards are built). Under BellSouth's proposal, CLECs have the necessary tools to make an informed decision to prioritize features (including BellSouth-initiated Change Requests) and determine which should be deployed first, second, etc. CLECs also can be assured under BellSouth's proposal that Change Requests will be implemented no later than 60 weeks from prioritization based on the priority assigned by the CLECs, subject to available capacity. BellSouth's comprehensive prioritization proposal is reasonable and has been endorsed by both KPMG and the Staff of the Florida Public Service Commission.	
8	3.0 – Type 5 2 <sup>nd</sup> Paragraph	D 25	<p>The BellSouth caveats included in their proposed language "in the CLEC Production Releases that will occur" and "subject to available capacity" are prime examples of the key differences between the CLEC's and BellSouth's overall positions on the nature of the CCP.</p> <p>See Item 4 above for the full details of the CLECs' support for their proposed language.</p>	This is the same issue in dispute for Item No. 5, which involves two areas of disagreement. The first relates to the CLECs' desire that BellSouth commit unlimited resources to implementing an unlimited number of change requests, which BellSouth is unwilling to do for the reasons explained in Item No. 4 above. The second issue relates to BellSouth's proposal for sharing equally available release capacity by having separate CLEC Production Releases and BellSouth Production Releases. The CLEC Production Release would be used to implement those change requests that the CLECs have prioritized, and the BellSouth Production Release would be used to implement those change requests that are a priority to BellSouth (including CLEC-initiated change requests). The determination of	<b>BellSouth Language minus the statement " subject to available capacity".</b>

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				which features to implement in the BellSouth Production Release should be left to BellSouth, not the CLECs. Accordingly, BellSouth can agree with the CLEC language for application to <u>CLEC Production Releases</u> and with the acknowledgement that implementation is <u>subject to available capacity</u> . BellSouth's proposed language includes these two phrases.	
8a	3.0 – Type 6 2 <sup>nd</sup> paragraph	D 25	BellSouth has elected to address Section 3.0 – Type 6 in two separate line entries, Item 8a, and Item 9. The CLECs' comments are all included in Item 9.	BellSouth has proposed language to clarify the definition of a CLEC impacting defect (Type 6 Change Request). Such clarification is necessary to recognize the two different ways in which software errors can arise and would allow BellSouth to shorten the intervals applicable to correcting true software defects. There are two ways that defects can be introduced in software: errors that are made when designing and subsequently coding the software and errors made because of an oversight in documenting the functionality that should be created. The current definition for a Type 6 – CLEC Impacting Defect does not distinguish between a coding error versus an oversight in documenting the functionality to be designed. Based on the current CCP defect definitions, a defect is created when the system does not perform as expected regardless of whether the behavior was introduced because of a coding error or because of incomplete requirements. When changes are introduced to the system, the change is documented in business	Type 6 Defect definition stays the same. BellSouth shall track these defects to determine how frequently Type 6 Change Requests are a result of non-coding errors.  The Defect Correction intervals are as follows:  Medium Impact: 30 Business days. Low Impact: 45 Business days.

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				<p>rules that are developed to describe the change, user requirements that reflect how the systems should be changed to implement the revised business rules, and systems requirements that reflect the actual software changes that will be made to satisfy the request. This series of documentation is used to test and validate software changes. If the system is determined to not be working as these requirements were written, it is considered a defect. In this case, the developer has a "road map" (i.e., these documented requirements) that explains how the software is supposed to behave and what should be done to correct the defect. The defect is then assigned a severity level that reflects the impact to the functionality and that determines how soon the defect should be corrected.</p> <p>When the system is not working because of an oversight in developing requirements or business rules, the developers do not have a 'road map' that indicates how the software should behave or what changes should be made to correct the problem. In this case, the functionality was developed, tested and implemented as intended by all the documentation (i.e., business rules, user/system requirements) but the functionality (change request) does not work as intended or may not work as well as it should. To correct this type of defect involves adding new functionality, which requires developing new business rules, user requirements, and</p>	

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				<p>system requirements, all of which must be defined and validated before software changes can be made. Developing this additional functionality is a new feature (or change request) and should be handled accordingly.</p> <p>The current definition of a Type 6 Change Request erroneously includes an oversight in documenting functionality. BellSouth's proposed language clarifies this definition to include only true software defects.</p>	
	3.0 – Type 6	D 25-26	<p>BellSouth has elected to address Section 3.0 – Type 6 in two separate line entries, Item 8a, and Item 9. The CLECs' comments are all included in Item 9.</p> <p>There are two distinct issues at this CCP Section reference. <u>First</u>, BellSouth has an issue with the definition of a defect that did not previously exist. <u>Second</u> is the issue of the implementation interval for medium and low impact defects that BellSouth now ties to the first issue.</p> <p style="text-align: center;"><b>Defect Definition (page 25)</b></p> <p>In its second update of its "green-line" language submitted to the CLECs on 6/28/02, BellSouth has separated out the last sentence of the opening paragraph, which was not previously in dispute between the CLECs and BellSouth, and provides a "BST New</p>	<p>BellSouth and the CLECs have agreed that "high impact" software defects (i.e., those that impair critical system functions and no electronic workaround solution exists) should be corrected within ten (10) business days. The disagreement on this issue concerns the timeframe for correcting "medium impact" and "low impact" software defects. "Medium impact" software defects are defined as an impairment of a critical system function, although a workaround solution does exist. The current timeframe for correcting "medium impact" software defects is ninety (90) business days, which was established to comply with an order entered by the Florida Public Service Commission last year in an arbitration initiated by AT&amp;T. Docket No. 000731-TP, Order No. PSC-01-1402-FOF-TP. Even though the current timeframe for correcting "medium impact" software defects is the direct result of a state commission order, BellSouth is</p>	Same as Item 8a

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			<p>Proposal for this paragraph."</p> <p>It is not the purpose of this filing to create new issues. The language BellSouth now seeks to replace was not addressed by BellSouth in its February 15<sup>th</sup> filing, or any of the workshops held during March, April or May, or even included in BellSouth's first specific update to this filing delivered to the CLECs on 6/24/02. As a matter of procedure The Commission should refuse to consider this particular language.</p> <p>To the extent the Commission does consider this proposal, the CLECs offer the following comments. First, the language BellSouth is seeking to change has been the CCP definition for defects since inception of the process. Second, the entire purpose of the existing language is specifically to include the conditions BellSouth cites in its "new proposal" within the scope of defects. BellSouth "new proposal" has no merit and is clearly an attempt by BellSouth to take advantage of the Commission's participation in resolving these changes to the CCP.</p> <p style="text-align: center;"><b>Defect Correction Intervals (page 26)</b></p> <p>BellSouth's recommended alternative language here calls for the correction of medium impact defects in 45 business days (or next available maintenance release) and low impact defects in 60 business days. Further, in a <u>third</u> update to its green-line language delivered to the CLECs on July 1, 2002, BellSouth</p>	<p>willing to reduce this interval to forty-five (45) business days, subject to approval of the new BellSouth language to clarify a Type 6 Change Request as a true software defect. Forty-five (45) days is a reasonable amount of time to correct a defect that has an acceptable workaround. This interval allows consideration of the defect priority to other features that may be in development and vying for resources and enables the defect to be implemented within the release schedule presented to the CCP members. It also would allow BellSouth to meet the CLECs' request that Type 6 defects be corrected in maintenance releases whenever possible thereby not affecting the production releases and their corresponding capacity. Maintenance Releases are normally scheduled any month that a production or industry release is not scheduled, and establishing a forty-five (45) business day interval should allow BellSouth to accommodate the CLECs' request.</p> <p>With respect to "low impact" software defects, which are defined as failures causing inconvenience or annoyance, the current timeframe for correcting is "best effort." Because "low impact" software defects have no immediate adverse impact to the users, correcting such defects does not and should not take a high priority in implementation, particularly when compared to other Change Requests. Nevertheless,</p>	

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			<p>stated that its 45 and 60 day offers were contingent upon acceptance of its new proposed definition discussed immediately above. The CLEC's propose 20 business days and 30 business days respectively for these same intervals.</p> <p>BellSouth's selection of 45 days and 60 days is totally arbitrary and unacceptable. Until it forwarded its second update to its green-line language to the CLECs on 6/28/02 BellSouth's position was that the appropriate intervals were 90 and 120 days. While the reduction in intervals appears significant it is inadequate based upon the facts of BellSouth's capabilities and the needs of the CLECs.</p> <p>It is not necessary (or desirable) to wait for a release in order to implement a defect correction. BellSouth has repeatedly implemented defect corrections outside any formal release. For example, most recently, BellSouth corrected 12 of 17 software defects arising from the implementation of Release 10.5 on various dates between 6/3/02 and 6/16/02. At least five of these were classified as medium impact. Thus the CLEC's 20 business day interval for medium impact defects is obtainable and reasonable and any requirement to wait for a release unnecessary.</p> <p>BellSouth's performance in its voluntary correction of the majority of the "low impact" defects associated with the implementation of Parsed Customer Service Records within 24 calendar days demonstrates that the CLECs' proposed 30</p>	<p>BellSouth is willing to commit to correcting "low impact" software defects within sixty (60) business days, subject to approval of the new BellSouth language to clarify a Type 6 Change Request as a true software defect. Sixty (60) business days is a reasonable amount of time to correct a defect that does not detrimentally affect performance or stability or otherwise adversely impact a CLEC.</p> <p>BellSouth has proposed these reduced intervals in order to address the CLECs' request that software defects be corrected in a shorter period of time. BellSouth can only accommodate this request if the definition of a Type 6 Change Request is clarified to include only true software defects, as BellSouth has proposed in Item No. 8a. Absent this clarification, errors in documenting functionality are considered a Type 6 Change Request, which requires work analogous to adding a new feature to fix and which cannot be accomplished in a shorter amount of time.</p>	

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			<p><u>business</u> day interval is also obtainable and reasonable.</p> <p>[See also the CLEC Coalition Comments being separately submitted for a description of recommended changes to the metrics associated with the timely implementation of defect corrections.]</p>		
10	4.0 – Part 1 – Step 2 Outputs	O 32	This item is still under negotiation between the CLECs and BellSouth and is not being presented to the GA PSC for a decision. The trial process is working well. It is anticipated that a workshop to resolve this and other issues will be held in the near future.	This issue is still under discussion by BellSouth and the CLECs.	
11	4.0 – Part 2 – Step 4, Act #5 (BCCM)	D 39	<p>For the CCP to be a joint forward looking proactive process, all parties to the process must have the same detailed information available to them about the elements of the process to be managed and coordinated. In the case of the CCP the principle elements being managed and coordinated are (1) the change requests and (2) the programming resources available, assigned and expended.</p> <p>The contrasts between the CLEC and BellSouth's proposed language here and in several of the associated items discussed below are prime examples of the key differences between the CLEC's and BellSouth's overall positions on the sharing of this vital information. This includes information related to the individual change request sizing as they progress through the process, and information about the programming resources</p>	<p>BellSouth is committed to providing complete and timely information to assist the CLECs in their prioritization efforts and agrees with much of the CLECs' proposed language. The CLECs earlier this year agreed to a process (contained in Appendix H) by which BellSouth provides the feature sizing for the Type 4 and Type 5 Change Requests that are candidates for prioritization. Once the CLECs have prioritized the features, BellSouth provides a 12-month view of features scheduled, implemented or planned. This is commonly called the Flagship Feature Release Schedule and is discussed in each CCP Monthly Status Meeting. Although BellSouth is agreeable to most of the CLECs' proposed language, BellSouth cannot agree to the language that purports to require BellSouth</p>	<p><b>CLEC Language.</b> BellSouth shall use the Revised Form I-A titled "Reporting Pre-Release Estimated Capacity Forecasting/Used for Capacity Planning Only. (Attached)</p>